

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

UNITED STATES OF AMERICA

v.

WILLIE MITCHELL, et al.

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Criminal No. AMD-04-029

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GOVERNMENT'S PROPOSED VOIR DIRE QUESTIONS

The United States of America, respectfully requests that the following interrogation of prospective jurors be conducted pursuant to Rule 24(a) of the Federal Rules of Criminal Procedure:

The defendants are charged in a nineteen-count indictment with various violations of federal law.

The Court has set aside five weeks for this trial. Is there anything about that schedule that would prevent you from being able to participate as a juror in this trial?

1. Do any of you know, or have you had any dealings with the defendants, **James Gross, Sr., Willie Mitchell, a/k/a Bo; Shelton Harris, a/k/a Rock, Little Rock, Hard Rock; Shelly Wayne Martin, a/k/a Wayne, Weaze, Weazy, and Shawn Gardner, a/k/a Goo?**

2. Do you know, or have you had any dealings with, any friends, associates or members of the family of the defendants?

3. Do you know, or have you had any dealings with, any of the following persons or members of their families?

(a) Counsel for the United States of America, Robert R. Harding and Michael Hanlon?

(b) Counsel for defendants, Barry Coburn, Adam Kurland, Paul Flannery, Gerard

Martin, Michael Lawlor, Laura Rhodes, Thomas Crowe, and James Pyne?

(c) The following people who may be witnesses in the case or who may be mentioned by various witnesses: (A witness list will be provided prior to jury selection.)?

4. Have you served on a jury panel where any party was represented by any of the lawyers in this case?

5. Have you, any member of your family or any of your close friends ever been employed by the United States Department of Justice?

6. Do you know the United States Attorney for the District of Maryland, Rod Rosenstein, or any of the Assistant United States Attorneys, or any employees of the United States Attorney's Office?

7. Have you, any member of your family or any of your close friends ever been employed by any law enforcement agency, state or federal?

8. Have you, any member of your family or any of your close friends ever been involved in any legal dispute with the Government or any agency of the Government?

9. At the end of the next series of questions, I am going to ask that each person who has an affirmative answer to one or more of them to stand and come to the bench. Please do not rise until all of the questions have been asked.

(a) Have you or any member of your family ever been the victim of a crime?

(b) Have you or any member of your family ever been accused of criminal conduct or ever been the subject of a criminal investigation?

(c) Have you or any member of your family ever been a witness for the prosecution or the defense in a criminal case?

If any of you have a "yes" answer to any or all of these questions, please stand, and you

will be permitted to answer up here at the bench where other members of the panel cannot hear you.

10. Have you read or heard anything about this case or the defendant from any source whatsoever? If so, have you formed an impression or opinion as to the merits of this case? Would that opinion prevent you from maintaining an open, impartial mind until all of the evidence is in and the instructions of the Court are given?

11. Have you or any member of your family ever attended a law school?

12. Have you ever served on a grand jury in either state or federal court? If so, did anything happen during your service as a grand juror which would influence you in any way in this case?

13. Have you ever served as a juror at the trial of a criminal case in either state or federal court? If so, in what court did you serve as a juror, what charges were involved in the trial, and what was the result of the trial? Did anything happen during your prior jury service which would influence you in any way in deciding this case?

14. Do you have any religious or moral scruples which would prevent you from judging the conduct of another person?

15. Would you tend to give greater or lesser weight to the testimony of a law enforcement officer simply because he or she is a law enforcement officer?

16. Do you have any reservations concerning the administration of criminal justice in the courts that would prevent you from rendering a fair and impartial verdict in this case?

17. Do you know of any reason why you could not sit with absolute impartiality to both sides as a juror in this case?

18. Do you have any bias or prejudice for or against the use of a prosecutorial tool

known as "plea bargaining" whereby a person who is called as a witness in a criminal case pleads guilty to certain charges rather than facing prosecution on other charges under an agreement to cooperate and testify truthfully for the Government?

19. Do you or any member of your family belong to any organizations which are attempting to repeal or relax the laws criminalizing the possession, sale or use of controlled substances?

20. Are there any personal, family or other considerations which would make it difficult for you to serve as a juror in this case?

21. Are you presently taking any medication which might make you unable to give your full attention to the evidence presented?

22. Do you suffer from any physical condition which would prevent you from sitting as a juror for a long period of time, or which would make it uncomfortable or painful for you to do so?

23. Have you, or any member of your family, been involved in any lawsuit or other dispute with any agency or employee of either the federal government, or any state or municipal government?

24. Have you or any member of your family ever been a member of the National Rifle Association, or any other group or organization which is involved with issues related to firearms? Do you have any personal opinions or beliefs about handguns which would affect your ability to render a fair and impartial decision in this case based solely on the evidence?

Respectfully submitted,

Robert R. Harding
Assistant United States Attorney

Michael Hanlon
Assistant United States Attorney

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CERTIFICATE OF SERVICE

I certify that on September 10, 2008, a copies of the government's proposed voir dire was electronically filed and sent by e-mail and to the following:

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